

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:07-CV-1336 CAS
	)	
RICHARDSON MASONRY,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before the Court for examination pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Plaintiff commenced this action on July 25, 2007, naming as defendant Richardson Masonry. From a review of the file in this case, the Court finds plaintiff has not properly served the defendant pursuant to Rule 4(h) of the Federal Rules of Civil Procedure. Under Rule 4(m), the Court, after notice to the plaintiff, is directed to dismiss an action against a defendant upon which service has not been properly made within 120 days after the filing of the complaint. The Rule 4(m) period for service expires November 23, 2007, 120 days after the filing of plaintiff's complaint.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff shall cause service to be effected upon defendant Richardson Masonry not later than November 23, 2007. In the absence of good cause shown, failure to timely serve said defendant shall result in dismissal of this action without prejudice.



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**CHARLES A. SHAW  
UNITED STATES DISTRICT JUDGE**

Dated this 31st day of October, 2007.